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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/772,449	02/06/2004	John F. Boon	026096-00006	5154

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EXAMINER

HU, KANG

ART UNIT	PAPER NUMBER
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3714

MAIL DATE	DELIVERY MODE
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06/18/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.		Applicant(s)	
	10/772,449		BOON, JOHN F.	
	Examiner		Art Unit	
	Kang Hu		3714	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 February 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 06 February 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>2/6/04</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Objections

1. Claim 17 is objected to because of the following informalities: "multimedia output form the combined multimedia data feeds", form is suppose to be from. Appropriate correction is required.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claim 15 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 15 state "the display terminal is coupled to the processor via a network." It is usually understood that the display terminal itself contains a processor or the display terminal is coupled to a pc that has a processor. It is unclear to the examiner how the claimed invention is accomplished.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes

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of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Van Schaack et al. (US 6,652,283 B1).

Re claim 1: Van Schaack discloses a method for providing an authoring tool for enhancing long-term memory, the method comprising: providing a graphical user interface input (Figs 1-52) for receiving content; receiving the content, the received content including at least one query input and associated response; and formatting the content for use with a query and response feature; wherein the query and response feature includes: providing each of the at least one query, each of the at least one query having an associated memory retention value; receiving a response to each of the at least one query; evaluating the response to each of the at least one query; and updating the associated memory retention value (figs 2-6) for each of the at least one query based on the response to the evaluated response (Figs 1-53; col 1-10).

Van Schaack further teaches:

Re claim 2: The method of claim 1, wherein each of the at least one query comprises a representation of a flash card interpreted as a form of paired-associate learning (col 5-7).

Re claim 3: The method of claim 1, wherein the at least one query comprises input selected from a group consisting of a graphical prompt, a text prompt, an audio prompt, and a video prompt (col 7, lines 1-17).

Re claim 4: The method of claim 1 wherein the at least one query comprises a plurality of linked prompts (col 7, lines 1-17).

Re claim 5: The method of claim 1, further comprising: displaying a correct response to each of the at least one query (col 4, lines 1-67; col 5 and 6).

Re claim 6: The method of claim 5, wherein the correct response is displayed for a variable time period (fig 13a).

Re claim 7: The method of claim 6, wherein the variable time period dynamically adjusts depending on number of incorrect answers to each of the at least one query received (col 4, lines 40-67; col 7, lines 45-67; col 37 and 38).

Re claim 8: The method of claim 1, further comprising: repeating the providing of each of the at least one query at variable intervals, the intervals varying with response time taken for at least one previously received response (col 37 and 38).

Re claim 9: The method of claim 2, wherein providing at least one query includes: presenting a display of a representation of a query flash card, the query flash card including a query; and presenting a display of a plurality of selectable responses to the query via a plurality of representations of answer flash cards (figs 40-44).

Re claim 10 invokes 35 U.S.C. 112 sixth paragraph and will be treated as such. The means for providing a graphical user interface, receiving the content, formatting the content for user with query and response feature, providing each of at least one query, each of the query having an associated memory retention value, receiving a response to each query, evaluating the response to the query and updating the associated memory retention value for each query based on response to the evaluated response have been discussed in claims 1-9 above.

Re claims 11-16: the device as claimed has been discussed in claims 1-9, further claim of the device comprising of terminal selected from group of persona computer, minicomputer, a microcomputer, a main frame computer and a slot machine; the display coupled to a display processor and the user of internet (col 8, lines 40-51).

Re claim 17: A method for providing a multimedia output via an authoring tool, the method comprising: receiving a plurality of multimedia data feeds; providing at least one option for combining the multimedia data feeds; receiving at least one selection for combining the multimedia data feeds; formatting the combined multimedia data feeds; and producing the multimedia output form the combined multimedia data feeds (col 9, and 13 -15).

Re claim 18: The method of claim 17, wherein the multimedia output is a compact disk containing data (col 15, lines 18-25).

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Re claim 19: The method of claim 17, wherein the plurality of multimedia data feeds includes a voice over stream interpreted as any audio stream (col 9, lines 29-41; col 13, lines 6-24).

Re claim 20: The method of claim 17, wherein the plurality of multimedia data feeds includes at least one video stream (col 9, lines 29-41; col 13, lines 6-24).

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Sheppard II (US 5,820,386) teaches an interactive educational apparatus providing an enhanced computer-based reference as well as learning and testing module.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kang Hu whose telephone number is (571)270-1344. The examiner can normally be reached on 8-5 (Mon-Thu).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Pezzuto can be reached on 571-272-6996. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/KH
Kang Hu
June 8, 2007



Robert E. Pezzuto
Supervisory Patent Examiner
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